

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

NORTHERN BUILDING PRODUCTS, INC., : CIVIL ACTION NO. 1:04-CV-0926
Plaintiff : (Judge Conner)
v. :
WESTERN SURETY COMPANY, :
Defendant :
:

ORDER

AND NOW, this 23rd day of August, 2005, upon consideration of the order of court (Doc. 26) granting relief from the entry of default judgment (Doc. 8) “conditioned upon defendant’s payment to plaintiff of costs and attorney’s fees reasonably incurred by plaintiff as a result of defendant’s failure to plead or otherwise defend,” and it appearing that defendant has satisfied the precondition to setting aside the default judgment (see Docs. 39, 40), it is hereby ORDERED that:

1. The default judgment (Doc. 8) entered on August 10, 2005, in the above-captioned case is SET ASIDE. See FED. R. CIV. P. 60(b).
2. Defendant shall serve an answer to the complaint (Doc. 1) on or before September 2, 2005. See FED. R. CIV. P. 12(a).
3. Counsel for the parties shall meet and confer and shall file a joint case management plan in the above-captioned case on or before September 6, 2005. See L.R. 16.3(a).

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge